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MEMORANDUM ENDORSED

August 30, 2024

VIA E-FILING

The Honorable Gregory H. Woods
United States District Judge
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: Alta Partners, LLC v. SunCar Technology Group, Inc., No. 23-cv-7974

Dear Judge Woods:

Pursuant to the Court's Individual Civil Rule 1(E), Plaintiff Alta Partners LLC ("Alta") and Defendant SunCar Technology Group, Inc. ("SunCar", and together with Alta, the "Parties") respectfully write to update the Court concerning SunCar's planned Rule 12(c) motion and to request a revised briefing schedule.

Specifically, Alta intends to amend its complaint to, among other things, revise its factual allegations and remove Counts III through V with prejudice. Alta's intended amendment will moot certain portions of SunCar's planned motion. Alta intends to finalize its proposed amended complaint by September 6, 2024. Alta has discussed its planned amendments with SunCar, and SunCar intends to consent to the filing of the amended complaint conditional on it having the opportunity to move to dismiss. The parties have also discussed and SunCar agrees that in light of Alta's withdrawal of the Securities Act claims in Counts IV and V, there is no automatic stay of discovery pending the motion to dismiss.

For efficiency, and given the existing September 4, 2024 deadline for SunCar to file its Rule 12(c) motion, the parties respectfully request that the Court strike the existing Rule 12(c) briefing schedule. The parties will then file a consented-to motion to amend by September 6, 2024. Assuming the Court grants the consented-to motion to amend, the parties further propose waiving an additional pre-motion conference, such that SunCar would move to dismiss the amended complaint pursuant to the following schedule:



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1. SunCar files a motion to dismiss within 10 days of the granting of any motion to amend.
2. Alta's opposition is due within twenty-one days after service of SunCar's motion.
3. SunCar's reply, if any, is due within seven days after service of Alta's opposition.

Respectfully submitted,

PLAINTIFF ALTA PARTNERS, LLC

DEFENDANT SUNCAR TECHNOLOGY
GROUP, INC.

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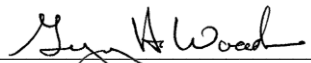
cc: All counsel of record via ECF

Application granted. The parties' request that the Court adjourn sine die the existing Rule 12(c) briefing schedule set forth in the Court's August 22, 2024 order, Dkt. No. 31, is granted. That briefing schedule is adjourned sine die.

The deadline for Plaintiff to file a motion to amend the complaint is September 6, 2024. Defendant's motion to dismiss the amended complaint is due within ten days after service of the amended complaint. Plaintiff's opposition is due within twenty-one days after service of Defendant's motion. Defendant's reply, if any, is due within seven days after service of Plaintiff's opposition. The Clerk of Court is directed to terminate the motion pending at Dkt. No. 32.

SO ORDERED.

Dated: August 30, 2024
New York, New York


GREGORY H. WOODS
United States District Judge